

## Coast Guard, DHS

## § 165.161

(d) *Enforcement period.* This rule will be enforced from 11 a.m. to 5 p.m. on August 22, 23, and 24, 2008 and each year thereafter at dates and times specified in a FEDERAL REGISTER notice.

[USCG-2008-0264, 73 FR 51367, Sept. 3, 2008]

### § 165.159 Safety Zone: New York Air Show at Jones Beach State Park, Wantagh, NY.

(a) *Location.* The following waters of the Atlantic Ocean off of Jones Beach State Park, Wantagh, NY are designated a safety zone: Beginning at a point on land located in Jones Beach State Park at approximate position 40°35'06" N, 073°32'37" W, then running east along the shoreline of Jones Beach State Park to approximate position 40°35'49" N, 073°28'47" W; then running south to a position in the Atlantic Ocean off of Jones Beach at approximate position 40°35'05" N, 073°28'34" W; then running west to approximate position 40°34'23" N, 073°32'23" W; then running north to the point of origin. All coordinates are North American Datum 1983.

(b) *Definitions.* The following definition applies to this section: *Designated On-scene Patrol Personnel*, means any commissioned, warrant and petty officers of the U.S. Coast Guard operating Coast Guard vessels who have been authorized to act on the behalf of the Captain of the Port Long Island Sound.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port Long Island Sound or designated on-scene patrol personnel.

(2) All persons and vessels must comply with the Coast Guard Captain of the Port or designated on-scene patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, and local, State, and Federal law enforcement vessels.

(3) Upon being hailed by siren, radio, flashing light or other means from a U.S. Coast Guard vessel or other vessel with on-scene patrol personnel aboard, the operator of the vessel shall proceed as directed.

(4) Persons and vessels desiring to enter the regulated area may request permission to enter from the designated on scene patrol personnel by contacting them on VHF-16 or by a request to the Captain of the Port Long Island Sound via phone at (203) 468-4401.

(d) *Enforcement period.* This rule will be enforced annually on the Thursday through Sunday before Memorial Day in May. Notification of the enforcement of the safety zone will be made via marine broadcasts and local notice to mariners.

[USCG-2010-0138, 75 FR 59967, Sept. 29, 2010]

### § 165.161 Safety zones: Coast Guard Captain of the Port New York annual fireworks displays.

(a) *Safety zones.* The following areas are designated safety zones:

(1) *Bar Beach fireworks, Hempstead Harbor, NY:*

(i) *Location.* All waters of Hempstead Harbor within a 300-yard radius of the fireworks barge in approximate position 40°49'54" N 073°39'14" W (NAD 1983), about 360 yards north of Bar Beach, Hempstead Harbor.

(ii) *Effective period.* Paragraph (a)(1)(i) of this section is in effect annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the Friday before Memorial Day, and the Saturday after Labor Day. If the event is cancelled due to inclement weather, then paragraph (a)(1)(i) of this section is effective from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the Saturday before Memorial Day and the Sunday after Labor Day.

(2) *Seaport Memorial Day fireworks, East River, NY:*

(i) *Location.* All waters of the East River south of the Brooklyn Bridge and north of a line drawn from the southwest corner of Pier 3, Brooklyn, to the northeast corner of Pier 6, Manhattan.

(ii) *Effective period.* Paragraph (a)(2)(i) of this section is in effect annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on Memorial Day. If the event is cancelled due to inclement weather, then paragraph (a)(2)(i) of this section is effective from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the day following Memorial Day.

(3) *Red Bank, NJ, July 3rd fireworks, Navesink River:*

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(i) *Location.* All waters of the Navesink River within a 360-yard radius of the fireworks barge in approximate position 40°21'20" N 074°04'10" W (NAD 1983), about 360 yards northwest of Red Bank, NJ.

(ii) *Effective period.* Paragraph (a)(3)(i) of this section is in effect annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on July 3rd. If the event is cancelled due to inclement weather, then paragraph (a)(3)(i) of this section is effective from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on July 4th.

(4) *Seaport Labor Day fireworks, East River, NY:*

(i) *Location.* All waters of the East River south of the Brooklyn Bridge and north of a line drawn from the southwest corner of Pier 3, Brooklyn, to the northeast corner of Pier 6, Manhattan.

(ii) *Effective period.* Paragraph (a)(4)(i) of this section is in effect annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on Labor Day. If the event is cancelled due to inclement weather, then paragraph (a)(4)(i) of this section is effective from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the day following Labor Day.

(5) *Deepavali Festival fireworks, East River, NY:*

(i) *Location.* All waters of the East River south of the Brooklyn Bridge and north of a line drawn from the southwest corner of Pier 3, Brooklyn, to the northeast corner of Pier 6, Manhattan.

(ii) *Effective period.* Paragraph (a)(5)(i) of this section is in effect annually from 6 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the first Sunday in October. If the event is cancelled due to inclement weather, then paragraph (a)(5)(i) of this section is effective from 6 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the first Monday in October.

(6) *Seaport New Year's Eve fireworks, East River, NY:*

(i) *Location.* All waters of the East River south of the Brooklyn Bridge and north of a line drawn from the southwest corner of Pier 3, Brooklyn, to the northeast corner of Pier 6, Manhattan.

(ii) *Effective period.* Paragraph (a)(6)(i) of this section is in effect annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on New Year's Eve. If the event is cancelled due to inclement weather, then paragraph (a)(6)(i) of this section is effective from 8 p.m. (e.s.t.) to 1 a.m.

(e.s.t.) on the day following New Year's Eve.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

[USCG-2008-0179, 73 FR 35016, June 19, 2008]

**§ 165.162 Safety Zone: New York Super Boat Race, Hudson River, New York.**

(a) *Regulated area.* The following area is a safety zone: All waters of the Lower Hudson River south of a line drawn from the northwest corner of Pier 76 in Manhattan to a point on the New Jersey shore in Weehawken, New Jersey at approximate position 40°45'52" N 074°01'01" W (NAD 1983) and north of a line connecting the following points (all coordinates are NAD 1983):

Latitude	Longitude
40°42'16.0" N	074°01'09.0" W, then south to
40°41'55.0" N	074°01'16.0" W, then west to
40°41'47.0" N	074°01'36.0" W, then northwest to
40°41'55.0" N	074°01'59.0" W, then to shore at
40°42'20.5" N	074°02'06.0" W.

(b) *Regulations.* (1) Vessels not participating in this event, swimmers, and personal watercraft of any nature are prohibited from entering or moving within the regulated area unless authorized by the Patrol Commander.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.